

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

H.P. 580 - L.D. 829

Resolve, To Continue the Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, shared living is an appropriate and cost-effective option for many adults with cognitive or intellectual disabilities or autism; and

Whereas, the Department of Health and Human Services began redesign efforts for its shared living program July 1, 2010 and booked savings in this program; and

Whereas, the initial redesign has occurred and actions to clarify the respective roles of administering agencies, host families and department employees have occurred; and

Whereas, substantial portions of the redesign remain unresolved or not implemented; and

Whereas, residential supports for over 450 individuals with intellectual disabilities or autism are critical services that require additional redefinition; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Redesign. Resolved: That the Department of Health and Human Services shall continue the redesign of its shared living program that began July 1, 2010 with the stakeholder group that was established by the Commissioner of Health and Human Services. The redesign work must include the following:

1. Analysis of the efficacy and appropriateness of host families becoming providers of record under rules of the MaineCare program and clarification of host families being defined as employees or independent contractors;

2. Review of planned allocation of responsibilities that took effect October 1, 2010 and proper implementation of assigned tasks and responsibilities among host home providers, oversight agencies and case managers for the department;

3. Development of acuity-based reimbursement systems for host home providers and oversight agencies that are within the limits of existing resources and that reflect the intensity of supports required by individuals and host home providers based on an objective needs assessment process;

4. Amendment of the rules regarding the MaineCare program home and community waiver to include a clear definition of shared living services and assigned tasks and responsibilities; and

5. A report to the Joint Standing Committee on Health and Human Services on progress with the shared living program redesign by January 15, 2014.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.